

**WARRANT  
TOWN OF SEEKONK  
FALL TOWN MEETING  
NOVEMBER 28, 2011**

**BRISTOL, SS.**

In the name of the Commonwealth of Massachusetts, you are hereby requested to notify the inhabitants of the Town who are qualified to vote in Town affairs, to meet at Seekonk Public High School, Arcade Avenue, Seekonk, Massachusetts on:

Monday November 28, 2011 at 7:00pm

To vote on the following articles. A quorum of 125 registered voters were checked in and the meeting was called to order by the Town Clerk at 7:00PM who turned the meeting over to the Town Moderator.

A motion was made to allow non-residents to address the meeting if necessary:

Bruce Alexander, Finance Director, Pam Nolan, Town Administrator, Joyce Frank, Town Counsel, Madeline Meyer, School Supt., Bob Lamoureux, DPW Supt., Chris DeFontes, Treasurer/Collector, Theo Gabriel, Town Assessor, Mary McNeil, Build. Comm., Beth Hallal, Health Agent, John Hansen, Town Planner, Bernadette DeBlander, Conservation Agent, Peter Fuller, Acting Library Director, Bernadette Huck, Human Services Director, Susan Rooks, Claudette Peden-Tirschel, Kelly Whitmore, Chris Chisum, Arthur Yaghian, Linda Duffell, Marilyn Palin, Arlene Bosco, Dir. Of Pupil Pers., Bart Lush, Martin School Principal, Marcia McGovern, HS Principal.

ACTION ON THE MOTION: Motion passes with a unanimous vote.

**ARTICLE 1:**

**Motion for Article 1: A motion was made that the Town vote to receive the reports of Town Officers or Committees and to place them on file with the Town Clerk.**

**Reports were read by the Finance Committee, Capital Improvement Committee, Senior Center Building Committee, and the Community Preservation Committee.**

ACTION ON THE MOTION: Motion passes with a majority vote.

**ARTICLE 2:**

**Motion for Article 2:** A motion was made that the Town vote to appropriate and transfer from the Historical Preservation Reserve of the Community Preservation fund the sum of \$4,000.00 for Phase I of the project to organize, preserve or rehabilitate town records.

**ACTION ON THE MOTION:** Motion passes with a majority vote.

**ARTICLE 3 :**

**Motion for Article 3:** A motion was made that the Town appropriate from free cash the sum of \$100,000.00, to be expended by the Board of Selectmen for the repair, renovation and expansion of the Seekonk Animal Shelter.

**ACTION ON THE MOTION:** Motion passes with 104 approving and 19 disapproving.

**ARTICLE 4:**

**Motion for Article 4:** A motion was made that the Town transfer the sum of \$500,000.00 from Free Cash to the Municipal Capital Stabilization Fund.

**ACTION ON THE MOTION:** Motion passes in excess of the 2/3 majority needed.

**ARTICLE 5:**

**Motion for Article 5:** A motion was made that the Town transfer the sum of \$500,000.00 from Free Cash to the Stabilization Fund.

**ACTION ON THE MOTION:** Motion passes in excess of the 2/3 majority needed.

**ARTICLE 6:** A motion was made to indefinitely postpone article 6.

**ACTION ON THE MOTION:** Motion to indefinitely postpone passes with a majority vote.

**Motion for Article 6:** Moved that the Town vote to authorize the Town Treasurer to borrow, subject to the approval of the Board of Selectmen, under provisions of Chapter 44, Section 7 (3) of the M.G.L., or pursuant to any other enabling authority, the sum of \$2,500,000 to pay for the cost to design, construct, originally equip and furnish a Human Services/Senior Center, and for the payment of all other costs incidental or related thereto. This authorization shall be contingent upon the successful passage of a ballot question, in accordance with M.G.L. Chapter 59, Section 21C, to exempt from the provisions of Proposition 2 ½, so called, the amounts necessary to pay the principal and interest on any debt authorized under this vote. Said sum to be expended under the direction of the Board of Selectmen.

**ARTICLE 7:**

**Motion for Article 7: A motion was made that the Town appropriate from Free Cash the sum of \$10,000.00 to replace the carpets in Town Hall, to be expended under the direction of the Board of Selectmen.**

**ACTION ON THE MOTION: Motion passes in excess of a majority.**

**ARTICLE 8:**

**Motion for Article 8: A motion was made that the Town appropriate \$35,000.00 from Sanitation Enterprise Free Cash for the rental of a Tub Grinder and Screener, and authorize the rental thereof to be utilized by the Public Works Department for use at the Town's Transfer and Recycling Facility.**

**ACTION ON THE MOTION: Motion passes with a majority vote approving.**

**ARTICLE 9 :**

**A motion was made to amend Article 9 by adding source of funding as free cash.  
Motion to amend Article 9 passes with a majority vote.**

**Motion for Article 9: A motion was made that the Town appropriate the sum of \$12,942.87 from free cash for the purchase of a computer server to house the Assessor's CAMA and MUNIS operations.**

**ACTION ON THE MOTION: Motion passes with a majority vote.**

**ARTICLE 10:**

**Motion for Article 10: A motion was made that the Town appropriate from Free Cash the sum of \$50,028.00 to establish an Emergency Medical Dispatch program as mandated by the Commonwealth of Massachusetts.**

**ACTION ON THE MOTION: Motion passes with a unanimous vote approving.**

**ARTICLE 11:**

**A motion was made to amend Article 11 to change the "under the direction of the School Committee" to under the oversight of the Board of Selectmen. Motion to amend fails.**

**MOTION FOR ARTICLE 11: A motion was made that the Town vote to appropriate the sum of \$73,442.00 by transfer from free cash for the purpose of upgrading technology to all of the school buildings, such funds to be expended under the direction of the School Committee.**

**ACTION ON THE MOTION: Motion passes with 64 approving and 41 disapproving.**

**ARTICLE 12:**

A motion was made to amend Article 12 to read: I move that the Town appropriate from Free Cash the sum of \$5700. to repair the rear roof, soffit and fascia boards at the County Street Fire Station.

**ACTION ON THE AMENDED MOTION: Motion passes with a majority vote.**

**ARTICLE 13:** to see if the Town will vote to amend the Town By-laws, Category 2A Appointment Procedure for Town Committees by removing language indicated by a strike through as follows: from section 2A4.1,

2A.4.1 In order to attract qualified and interested persons, vacancies will be made public as far in advance as practicable, ~~“but not less than 14 days before the position is filled by appointment”~~ The Chairperson of the elected board shall publicize each vacancy ~~“in the local paper by advertisement,”~~ by press release, on the Town’s website, as well as on local access TV

And remove the following words indicated by a strike-through from section 2A5.1:

2A.5.1: In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable, ~~“but not less than 14 days before the position is filled by appointment”~~ The Board of Selectmen, Town Administrator and Chairperson of the Appointed Board shall publicize each vacancy ~~“In the local paper by advertisement,”~~ by press release, on the Town’s website, as well as on local Access Cable TV, or take any other action relative thereto.

**Submitted by the Board of Selectmen**

**Motion for Article 13: A motion was made that the Town amend Town Bylaws Category 2A as presented in the warrant.**

**ACTION ON THE MOTION: Motion passes with 123 approving and 2 disapproving.**

**ARTICLE 14:** To see if the Town will vote to amend the Town By-laws, Category 18, Right of Way Opening, Section 3.0 Permit Requirements to add a new section 3.11 to read as follows:

3.11: Before any work is started under this application, the applicant shall provide a bond and/or certificate of insurance indicating insurance is in effect and shall not be discontinued or canceled without 14 days notice to the municipality for insurance in the amount of at least: General Insurance \$1,000,000.00 per occurrence, \$3,000,000.00 general aggregate, Auto liability of \$1,000,000.00 combined single limit, Workers compensation limits of Statutory benefits and \$500,000.00 of Employers liability insurance, AND A \$1,000,000.00 Umbrella policy.

Explosion, Collapse and Underground Liability shall be included. Or, take any action relative thereto.

**Submitted by the Board of Selectmen**

**Motion for Article 14: A motion was made that the Town amend Town Bylaws, Category 18, by adding section 3.11 as presented in the warrant.**

**ACTION ON THE MOTION: Motion passes with a unanimous vote approving.**

**ARTICLE 15:** To see if the Town will vote to amend the Seekonk Zoning By-laws by adding the following new section to Section 9. Special Districts, as set forth below:

**9.9 ECONOMIC DEVELOPMENT AREA OVERLAY DISTRICT (EDAOD)**

**9.9.1 Purpose.** It is the purpose of this Section 9.9 – Economic Development Area Overlay District (EDAOD) to encourage economic development within the EDAOD, specifically for the establishment of restaurants with liquor licenses.

**9.5.2 Overlay District.** The EDAOD is established as an overlay district and includes that area designated on a map entitled “Economic Development Area Overlay District, Seekonk, MA” that is on file with the Town Clerk and the Building Commissioner and which, together with any explanatory material thereon, is hereby incorporated in and made a part of these By-Laws. This map shall be considered as superimposed over other districts established by these By-Laws.

**9.5.3 Applicability.** Buildings and land uses within the EDAOD shall be governed by the pertinent regulations within the underlying districts and any other applicable regulations of these By-Laws,

Or any to take any other action thereto.

**Submitted by the Board of Selectmen**

**Motion for Article 15: A motion was made that the Town amend Seekonk Zoning Bylaws by adding new section 9 as presented in the warrant.**

**ACTION ON THE MOTION: Motion passes with a unanimous vote approving.**

**ARTICLE 16:**

**Motion for Article 16: A motion was made that the Town transfer from the Treasurer Collector for Tax Title purposes to the Board of Selectmen for purposes of conveyance and to convey upon such terms and conditions, and for such consideration, which may be nominal consideration, as said Board deems appropriate, to Old Colony Habitat for Humanity for Affordable Housing to low income persons and households, the land shown**

as Lots 440 and 441 on Assessors Map 12, consisting of approximately 6,800 square feet and located at the corner of Gude Street and Taunton Avenue, and further authorize the board of Selectmen to accept an affordable housing restriction on said parcel.

**ACTION ON THE MOTION:** Motion passes with 60 approving and 30 disapproving.

**ARTICLE 17:**

**Motion for Article 17:** A motion was made that the Town appropriate the sum of \$50,000.00 from the Community Housing Reserve of the Community Preservation Fund to Old Colony Habitat for Humanity for the creation of one affordable housing unit on Old Colony Habitat for Humanity's property which is comprised of Lots 440 and 441, Assessor's Map 12, said funds to be granted to Old Colony Habitat pursuant to an agreement setting forth the terms and conditions of the grant which agreements shall include the requirement that the Town be granted an Affordable Housing Restriction on said unit limiting the sale or rental of such units to low income persons and households and to authorize the Board of Selectmen to accept said restriction on behalf of the Town.

**ACTION ON THE MOTION:** Motion passes with a majority approving.

**ARTICLE 18:**

**Motion for Article 18:** A motion was made that the Town authorize the Board of Selectmen to acquire by gift purchase, eminent domain or otherwise, a permanent Agricultural Preservation Restriction pursuant to G.L. c. 184 sections 31-33 and G.L. c. 44B on approximately 33 acres of land located at 78 South Wheaton Avenue in the Town of Seekonk and shown on Assessor's Map4 as lots 31 and 36 which restriction is to be held jointly by the Massachusetts Department of Agricultural Resources and the Town of Seekonk to be under the care, custody and control of the Conservation Commission and to appropriate the sum of \$180,000.00 for such purposes, 127,500.00 of which shall be transferred from the Community Preservation Fund FY 2012 Budgeted reserves, and \$52,500 of which shall be transferred from the Open Space reserves of the Community Preservation Fund and to authorize the Board of Selectmen to execute any instruments and take any other action necessary to carry out the purposes of this vote.

ACTION ON THE MOTION: Motion passes well in excess of the 2/3 majority .

A motion was made to dissolve the meeting at 9:55PM. Motion to dissolve the meeting passes with a unanimous vote.

And you are hereby directed to serve this Warrant by posting attested copies as required by law and vote of the Town.

Hereof fail not and make return of the Warrant with your doings thereon to the Town Clerk at or before the time of said Meeting.

GIVEN UNDER OUR HANDS ON THIS 14 <sup>th</sup> DAY OF NOVEMBER 2011.

**Approved as to Form**

\_\_\_\_\_  
Joyce Frank, Town Counsel

**Seekonk Board of Selectmen**

\_\_\_\_\_  
David Parker, Chair

\_\_\_\_\_  
Francis Cavaco, Vice Chair

\_\_\_\_\_  
John W. Whelan, Clerk

\_\_\_\_\_  
William Rice, Member

\_\_\_\_\_  
Robert McLintock, Member

A True Copy Attest:

\_\_\_\_\_  
Craig H. Mace  
Constable

Date: 11/14/11